

REMARKS

Reconsideration of the application in view of the foregoing amendment and the following remarks is respectfully requested.

By the present amendment, claims 1-7 have been canceled and claims 8-14 have been added.

Based on the foregoing amendments and the following remarks the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. Rejection Under 35 U.S.C. § 112

The Examiner rejects claims 1-7 under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. As noted above, claims 1-7 have been canceled. It is respectfully submitted that the new claims 8-14 comply with all of the requirements of 35 U.S.C. § 112.

II. Rejection Over the Prior Art.

The Examiner rejects claims 1 and 3-6 as being anticipated by Cole et al., U.S., Patent No. 5,272,798 (Cole). Claims 2 and 7 are rejected as being obvious over Cole in view of Wilson, U.S., Patent No. 4,471,642 (Wilson). It is

respectfully submitted that claims 8-14 are patentable over the combination Cole and Wilson, claims 1-7 having been canceled.

Specifically, claim 1 recites that the plat form is arranged in proximity of the machine at a predetermined distance therefrom and at predetermined variable lateral position and height relative to the machine. Claim 1 further recites that the at least some of the control units, drives, drive consoles, distribution blocks, valve units are distributed over the platform foundation surface in accordance with functions thereof with regard to the machine.

It is respectfully submitted that the structure of claim 8 is not disclosed or suggested in Cole. In Cole, the machine (the discaling assembly) includes a spray box (25) (an essential part of the machine) and a support structure (30). The spray box (25) is welded to the support structure (col. 4, lines 44-48). The platform (76) is located between the spray box (25) and the support structure (30) and, therefore, is not spaced from the machine. Further, the bolts (77) do not secure the platform (76) to the foundation (30). Rather, the bolts (77) are used to secure the immersion pump (75) on the platform (col. 5, lines 61-66; col. 7, lines 9-10). Still further, the conduit 78 connects the salt furnace (73) with the nozzle assembly (45) located in the spray box (25) and does not form a component of the platform. Nor does the platform (76) include some of the control units, drives, valve units, etc. mounted on the platform surface.

Cole also does not disclose distribution of the control units , drives etc. over the platform surface (on the surface of the platform (76) in accordance with their functions.

From the foregoing discussion, it should be clear, that Cole discloses a completely different structure from that recited in claim 8 and lacks many important and recited features of claim 8.

In view of the above, it is respectfully submitted that Cole does not anticipate or make obvious the present invention, as defined by claim 8, and claim 8 is patentable over Cole.

In view of the above, it is respectfully submitted that claim 8 is patentable over the prior art and is allowable.

Claims 9-14 depend on claim 8 and are allowable by the same reason claim 8 is allowable and further because of specific features recited therein which, when taken alone and/or in combination with those of claim 8, are not disclosed or suggested in the prior art.

Specifically, claim 9 recites that the platform comprises a frame structure defining the platform foundation surface and having adjusting feet for varying a frame construction height relative to a foundation. Claim 9 also recites that conduits are incorporated in the frame construction.

Applicants respectfully submit that it would not have been obvious to provide the platform (76) of Cole with “adjusting” feet (14) of Wilson.

To begin with, there is not suggestion whatsoever in Wilson that the feet (14) are adjustable. Further the feet (14) form part of a rolling mill stand (12) and are designed to support the stand on a removable bed plate carriage (13), and do not form part of the foundation (13) (col. 5, lines 5-10), as alleged in the Office action.

It is respectfully submitted that neither Cole nor Wilson, whether taken alone or in combination, make the present invention, as defined by claim 9, obvious, and claim 9 is patentable over both Cole and Wilson.

COMMENT


As requested by the Examiner, a copy of PTO form 1449 submitted, together with Information Disclosure Statement filed on July 21, 2008, together with the application papers, is enclosed.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance, and allowance of the application is respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place the case in condition for final allowance, it is respectfully requested that such amendment or correction be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, reading "Alexander Zinchuk". The signature is written in a cursive style with a horizontal line underneath the name.

Alexander Zinchuk, Reg. No. 30,541

Abelman, Frayne & Schwab
666 Third Avenue, 10th Floor
New York, NY 10017-5621
212-885-9383